

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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DIRECTV LATIN AMERICA, LLC, :
individually and in the right and on behalf :
of LATIN AMERICAN SPORTS, LLC, :

08 Civ. 3987 (VM)(GWG)

Plaintiff, :

v. :

PARK 610, LLC, :
CARLOS VICENTE AVILA, :
ROBERTO TIMISTIT, :
CARLOS PRATOLA, :
ALEJANDRO ZUNDA CORNELL, :
DIEGO CLEMENTE and DOES :
1 through 10, :

**NOTICE OF MOTION TO
DISMISS COMPLAINT**

Defendants, :

and :

LATIN AMERICAN SPORTS, LLC, :

as a Nominal Defendant. :

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PLEASE TAKE NOTICE, that upon the annexed Declaration of Carlos V. Avila, dated July 24, 2008, and the exhibits annexed thereto, the Declaration of V. David Rivkin, Esq. dated July 25, 2008, and the exhibits annexed thereto, the accompanying Memorandum of Law in Support of Defendants' Motion to Dismiss the Complaint, of even date herewith, and upon all the prior pleadings and proceedings had herein, defendants Park 610, LLC, Carlos V. Avila and Roberto Timistit, by their undersigned counsel, will move this Court before the Hon. Victor Marrero, U.S. District Judge, at the United States Courthouse, Courtroom 20B, 500 Pearl Street, New York, New York, 10007, on a date to be scheduled by the Court, for an order dismissing the Amended

Verified Complaint in this case pursuant to Fed. R. Civ. P. 12(b)(6) against defendants Park 610, LLC, Carlos V. Avila, and Roberto Timistit, and for such other and further relief as the Court may deem just and proper.

Subject to such other direction as the Court may give, pursuant to Rule 6.1(b) of the Local Rules of the United States District Court for the Southern District of New York, papers in opposition to this motion, if any, shall be served within ten business days of the service of this Notice of Motion.

Dated: New York, New York
July 25, 2008

FOX HORAN & CAMERINI LLP

A handwritten signature in black ink, appearing to read 'V. David Rivkin', is written over a horizontal line.

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